

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION

BARRY W. THOMAS,)
)
Plaintiff,)
vs.)
ADELPHIA COMMUNICATIONS)
CORPORATION, a Delaware) Case No. 3:05-CV-00497
corporation; COX COMMUNICATIONS,)
INC., a Delaware corporation; TIME)
WARNER CABLE, INC., a Delaware)
corporation; and COMCAST)
CORPORATION, a Pennsylvania)
corporation,)
)
Defendants.)

**CONSENT ORDER GRANTING DEFENDANT COX COMMUNICATION, INC'S
CONSENT MOTION TO VACATE**

THIS MATTER is before the Court on Defendant Cox Communications, Inc.'s Consent Motion To Vacate the Order Granting Defendant's Unopposed Motion for Extension of Time signed by Judge Carl Horn III on December 27, 2005. It appearing that this Court has not issued a summons for Cox Communications, Inc., that Defendant Cox Communications, Inc.'s counsel moved for an extension of time under the mistaken belief that a summons had issued against Defendant, and that Plaintiff's counsel consents to the relief herein sought by Defendant, the Court enters the following Order:

IT IS, THEREFORE, ORDERED that Defendant Cox Communications, Inc. is GRANTED its Consent Motion to Vacate the Order Granting Defendant's Unopposed Motion for an Extension of Time signed December 27, 2005 and said Order is hereby VACATED.

Signed: January 17, 2006

David C. Keesler
David C. Keesler
United States Magistrate Judge

